

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

NEW CIVIL LIBERTIES ALLIANCE
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DIANTHE MARTINEZ-BROOKS,

Plaintiff,

v.

MERRICK GARLAND,
Attorney General; *et al.*,

Defendants.

HON. BRIAN R. MARTINOTTI, U.S.D.J.
HON. JESSICA S. ALLEN, U.S.M.J.

Civil Action No.
21-11307 (BRM)(JSA)

STIPULATION OF DISMISSAL OF THE COMPLAINT

On December 21, 2021, Defendant the United States Department of Justice issued *Discretion to Continue the Home-Confinement Placements of Federal Prisoners After the COVID-19 Emergency*, 45 Op. O.L.C. __ (Dec. 21, 2021), which reconsidered the January 2021 Office of Legal Counsel memorandum opinion being challenged in this case. The December 2021 OLC Opinion resolves the claims in this case as it concludes

that “section 12003(b) [of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281] grants [the Bureau of Prisons] discretion to permit prisoners in extended home confinement to remain there.”

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Plaintiff, with the signed consent of the Defendants, enters this stipulation to voluntarily dismiss, without prejudice, the Plaintiff’s causes of action as stated in her Complaint, with the parties to bear their own costs.

Dated: December 24, 2021

Respectfully Submitted,

/s/ Kara Rollins

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CERTIFICATE OF SERVICE

I hereby certify that on December 24, 2021, I electronically filed the foregoing Stipulation of Dismissal with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ Kara Rollins

KARA ROLLINS (Attorney ID 107002014)

SO ORDERED:

A handwritten signature in black ink, appearing to read "Brian Martinotti", written over a horizontal line.

BRIAN R. MARTINOTTI, U.S.D.J

Dated: 12/27/2021